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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,077	09/04/2003	David Johnston	P17742	8349

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EXAMINER	
VU, THAI	

ART UNIT	PAPER NUMBER
2687	

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/656,077	JOHNSTON, DAVID	
	Examiner	Art Unit	
	Thai N. Vu	2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,7-13 and 17-24* is/are rejected.

7)☒ Claim(s) *4-6,14-16,25* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-3, 7-13, 17, and 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino et al. (U.S. Publication 2004/0018848; hereinafter "Ogino") in view of Silvester (U.S. Publication 2003/0172271; hereinafter "Silvester").

Regarding claim 1, Ogino teaches a method comprising:

receiving authentication information associated with an authentication policy from a remote device (column 5, paragraph [0080]-authentication information being the information provided by the request to start a call, including priority information, e.g. terminal number);

comparing the received authentication information against authentication information associated with an authentication policy in a local device (column 5, paragraph [0080]); and

determining a priority between the local device and the remote device based, at least in part, on the comparison of the authentication information (column 5, paragraph [0080] – higher priority device being the master device).

It should be noticed that Ogino fails to teach the feature of an authentication priority. However, Silvester teaches such limitations in column 8, paragraph [0098] (authentication priority being the detected device or slave reporting its information to the hose or master device).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of an authentication priority, as taught by Silvester, into Ogino's method, in order to efficiently prevent conflict in performing security check.

Regarding claim 2, Ogino further teaches such limitations in column 5, paragraph [0080].

Regarding claim 3, Ogino further teaches such limitations in column 5, paragraph [0080].

Regarding claim 7, in combination, Ogino teaches limitations of the claim in column 5, paragraph [0080], and Silvester in column 8, paragraph [0098].

Regarding claim 8, in combination, Ogino teaches limitations of the claim in column 5, paragraph [0080], and Silvester in column 8, paragraph [0098].

Regarding claim 9, Ogino further teaches limitations of the claim in FIG. 1, controller 9 inherently includes a storage medium.

Regarding claim 10, Ogino teaches an apparatus comprising:

a transmitter (FIG. 1, transmitter 2), to selectively communicate with a remote device (column 2, paragraph [0036]); and

an agent (FIG. 1; block 9), associated with a local device and coupled with the transmitter, to receive authentication information associated with an authentication policy from a remote device (column 5, paragraph [0080]-authentication information being the information provided by the request to start a call, including priority information, e.g. terminal number), and

to compare the received authentication information against authentication information associated with an authentication policy in a local device to identify a relative priority between the local device and the remote device based, at least in part, on the comparison of the authentication information (column 5, paragraph [0080] – higher priority device being the master device).

It should be noticed that Ogino fails to teach the feature of

an security agent, and

authentication priority.

However, Silvester teaches such limitations in FIG. 2A, block 230 and column 8, paragraph [0098] (authentication priority being the detected device or slave reporting its information to the hose or master device).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of

a security agent, and

authentication priority, as taught by Silvester, into Ogino's, in order to efficiently prevent conflict in performing security check.

Regarding claim 11, Silvester further teaches limitations of the claim in FIG. 2A, block 230.

Regarding claim 12, Ogino further teaches limitations of the claim in column 5, paragraph [0080].

Regarding claim 13, in combination Ogino further teaches limitations of the claim in column 5, paragraph [0080], Silvester in column 8, paragraph [0098].

Regarding claim 17, Silvester further teaches limitations of the claim in FIG. 2A, block 210, and column 8, paragraph [0098].

Regarding claim 18, Silvester further teaches limitations of the claim in

18. An apparatus according to claim 17, wherein the transceiver is a wireless transceiver, and wherein the communication channel is a wireless communication channel in accordance with a wireless metropolitan area network (WMAN) communication standard.

Regarding claim 19, Silvester further teaches limitations of the claim in FIG. 2A, block 210, and column 8, paragraph [0098].

Regarding claim 20, Silvester further teaches limitations of the claim in FIG. 2A, block 210, and column 8, paragraph [0098].

Regarding claim 21, Ogino teaches a system comprising:

one or more dipole antenna(e) (FIG. 1 antenna 1) ;

a transmitter (FIG. 1, transmitter 2), responsive to the one or more dipole antenna(e), to selectively communicate with a remote device (column 2, paragraph [0036]); and

an agent (FIG. 1; block 9), associated with a local device and coupled with the transmitter, to receive authentication information associated with an authentication policy from a remote device (column 5, paragraph [0080]-authentication information being the information provided by the request to start a call, including priority information, e.g. terminal number), and

to compare the received authentication information against authentication information associated with an authentication policy in a local device to identify a relative priority between the local device and the remote device based, at least in part, on the comparison of the authentication information (column 5, paragraph [0080] – higher priority device being the master device).

It should be noticed that Ogino fails to teach the feature of

a security agent, and

authentication priority.

However, Silvester teaches such limitations in FIG. 2A, block 230 and column 8, paragraph [0098] (authentication priority being the detected device or slave reporting its information to the hose or master device).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of

a security agent, and

authentication priority, as taught by Silvester, into Ogino's, in order to efficiently prevent conflict in performing security check.

Regarding claim 22, Silvester further teaches limitations of the claim in FIG. 2A, block 230.

Regarding claim 23, Ogino further teaches limitations of the claim in column 5, paragraph [0080].

Regarding claim 24, in combination, Ogino further teaches limitations of the claim in column 5, paragraph [0080], Silvester in column 8, paragraph [0098].

3. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino and Silvester as applied to claims 10 and 17 above, and further in view of Croome et al. (U.S. Publication 2004/0014423; hereinafter "Croome").

Regarding claim 18, Ogino and Silvester, in combination teaches all subject matter as claimed above and Ogino further teaches the transceiver being a wireless transceiver in (FIG. 1, transmitter 2). It should be noticed that, the combination fails to teach the feature of the transceiver is a wireless transceiver, and wherein the communication channel is a wireless communication channel in accordance with a wireless metropolitan area network (WMAN) communication standard. However, Croome teaches such limitations in column 1 paragraph [0001].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the feature of the communication channel being a wireless communication channel in accordance with a wireless metropolitan area network (WMAN) communication standard, as taught by Croome, in

view of Ogino and Silvester, in order to provide communications devices a capability to adapt to a wide variety of wireless communication protocols.

Allowable Subject Matter

4. Claims 4-6, 14-16, and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai N. Vu whose telephone number is 571-272-7928. The examiner can normally be reached on 9:00AM-7:00PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thai N. Vu
Examiner
Art Unit 2687

6/27/05
LESTER G. KINCAID
PRIMARY EXAMINER